
Public Utilities Commission of the State of California
William Ahern, Executive Director

Headquarters

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Southern California Office

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Website: <http://www.cpuc.ca.gov>

Calendar Archive: http://www.cpuc.ca.gov/daily_calendar_archive/

Daily Calendar
Tuesday, January 13, 2004

- Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/ Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code § 1701.3(c))
- Notice of Ex Parte Communications

Summaries of Decisions and Resolutions for the Commission Meeting of December 18, 2003 are included in this calendar.



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities.

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

E-mail: public.advisor@cpuc.ca.gov
toll-free: 1-866-849-8390
Voice: 415-703-2074

FAX: 415-355-5404 (Attn.: Public Advisor)
TTY: 1-866-836-7825 (toll-free)
1-415-703-5282

REGULAR COMMISSION BUSINESS MEETINGS

January 22, 2004	10 am	San Francisco
February 11, 2004	10 am	San Francisco
February 26, 2004	10 am	San Francisco

COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

January 16, 2004	1:30 pm	San Francisco
February 6, 2004	1:30 pm	San Francisco
February 23, 2004	1:30 pm	San Francisco

OTHER COMMISSION MEETINGS**NONE**

NOTICES**Delivery of Formal Pleadings for Filing**

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4th Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

Commission Resources Available for Rental

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

SUBSCRIPTION INFORMATION**Subscription to Daily Calendar, Commission Meeting Agenda, and Draft Agenda Items**

For information contact: California Public Utilities Commission
Attention: Poly Arca
505 Van Ness Avenue, Room 1003
San Francisco, CA 94102
Phone: (415) 703-1798
E-mail: pol@cpuc.ca.gov

COMMISSIONER OFFICE HOURS

NONE

PUBLIC MEETING & WORKSHOPS

Workshop Notice - Rulemaking (R03-10-003) to Implement Portions of AB 117 Concerning Community Choice Aggregation (ALJ Malcolm and Commissioner Peevey)

January 14, 2004
10 am

California Public Utilities Commission
505 Van Ness Avenue, Auditorium
San Francisco

This Workshop on Costing Issues will address Phase 1 of this proceeding as described in the ALJ Ruling issued 11/26/03 in this proceeding. The goals of the workshop will be to define issues, explore areas of controversy, and work toward common understandings or agreement where possible. The workshop will focus on cost issues.

Public Meeting - Payphone Service Providers Advisory Meeting

January 20, 2004
10 am – 1 pm.

California Public Utilities Commission
505 Van Ness Avenue, Room 2204
(Corner of Van Ness Avenue and McAllister Street)
San Francisco

The Payphone Service Providers Committee (PSPC) will hold its regular meeting for the Payphone Service Providers Enforcement (PSPE) program, the Public Policy Payphone Program (PPPP), and the TDD Placement Interim Committee (TPIC) to discuss the following:

Hear Public Comments

Review/Approve Minutes of October 14, 2003 Meeting Minutes

Review/Discuss Unfinished Business:

Government Code 1090/Conflict of Interest Issue

Signing of Charter

Financials from June 4, 2003 meeting

Public Policy Payphone Program Application Follow-up

Novato Fire Department

Roster Amendment

CPSD Organizational Chart of PSPE Section

PSPE/PPPP/TPIC Financials

TPIC Discussion

PPPP Discussion

CPSD Application Procedure

Payment of PPPP Monthly Subsidy

New PPPP Applications

PSPE Discussion

Payphone Inspection Reports

Payphone Line Count Reports

Inspection Training and Criteria

Non-compliance Notification Process

Report to Legislature per Senate Bill 669

Quarterly Report to Commission

Senate Bill 168 and proposed Commission Resolution T-16817

New Items for Future Agenda

Date of Next Meeting

The PSPC meeting is open to the public. The Board reserves the right to limit the time allocated to public comments and each speaker. If you would like to receive an agenda, please notify the PSPE office at (415) 703-2452 voice or 1 (800) 229-6846 TTY or e-mail mhs@cpuc.ca.gov.

Deaf/Hearing Impaired Notice: Deaf/hearing Impaired Sign Language Services will be available for the duration of the PSPC meeting.

Public Workshop Notice – 2-Part Real Time Pricing Workshop

January 22, 2004
10 am – 4 pm

California Energy Commission
Bonderson Building – Hearing Room
901 P Street
Sacramento

D.03-06-032 directs Working Group 2 of the Demand Response rulemaking (R.02-06-001) to develop a pilot, pilots or consider other alternatives to test two-part Real Time Pricing (RTP) tariff design features. This will be the fifth workshop in the working group process of exploring the concept of two-part RTP. The specific focus for this workshop are RTP policy issues. Contact: Bruce Kaneshiro at (415) 703-1187 or bsk@cpuc.ca.gov

Energy Division Workshop – Applications for LIEE PY 2004 Program Plans of the Small and Multi-Jurisdictional Utilities (SMJUs)

January 26, 2004
9 am – 3 pm

California Public Utilities Commission
Training Room (Golden Gate Street side)
505 Van Ness Avenue
San Francisco

Per Assigned Commissioner's Ruling (ACR) in Rulemaking 01-08-027, the Energy Division has scheduled the following workshop with Avista Utilities, Alpine Natural Gas Company, Bear Valley Electric Service Company, PacifiCorp, Sierra Pacific Power Company, Southwest Gas Corporation and West Coast Gas Company to examine issues related to the SMJUs' accounting and reporting methods of the California Alternate Rate for Energy (CARE) and Low-Income Energy Efficiency (LIEE) programs. The workshop will discuss reporting requirements for both programs.

Teleconference Information: The meeting is accessible through teleconference. To use this option, please call: 1-866-675-0748 and then dial pass code 554377. We ask any participants who wish to use this teleconference service to refrain from any additional sounds, such as, music on hold, background noises, as it interferes with the meeting attendees. If necessary, please use the mute function on your phone or disconnect from the call and reconvene at a more convenient time. This location is wheelchair accessible. This meeting is open to the public.

**NOTICE OF DRAFT RESOLUTIONS
(Pursuant to PU Code § 311(g))**

The draft Resolution T16818 approves a one-year provisional tariff authorizing SBC to waive the installation service charge for eligible residence and business customers returning from facilities-based carrier service who are served on an Unbundled Network Element-Platform (UNE-P) basis is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32767.htm.

Contact person: Karen Miller @ (415) 703-3073 or knr@cpuc.ca.gov

The draft Resolution T16819 authorizes an increase in rates for six elements of Network Reconfiguration in conjunction with changes to NRS necessitated by new software requirements is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32794.htm.

Contact person: Larry Hirsch @ (415) 703-1575 or lah@cpuc.ca.gov

The draft Resolution T16815, detailing a budget augmentation amount of \$11,951,655 for the Deaf and Disabled Telecommunications Equipment and Services program (DDTP) for January 22, 2004 through June 30, 2004 is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32860.htm.

Contact person: Lisa Paulo @ (415) 355-4595 or LP1@CPUC.CA.GOV

The draft Resolution T16816, detailing a revised FY 03 – 04 budget in the amount of \$69,116,480 for the Deaf and Disabled Telecommunications Equipment and Services program (DDTP) for January 22, 2004 through June 30, 2004 is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32862.htm.

Contact person: Lisa Paulo @ (415) 355-4595 or LP1@CPUC.CA.GOV

The draft Resolution T16817, detailing a FY 04 – 05 budget in the amount of \$49,193,290 for the Deaf and Disabled Telecommunications Equipment and Services program (DDTP) for July 1, 2004 through June 30, 2005 is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32857.htm.

Contact person: Lisa Paulo @ (415) 355-4595 or LP1@CPUC.CA.GOV

NEW FILINGS

- 1/9/04 **A04-01-008** - TC Telephone LLC, for a Certificate of Public Convenience and Necessity to provide: (i) Limited resold and facilities-based competitive local exchange service throughout the service territories of SBC California, Inc., Verizon California, Inc., Roseville Telephone Company, and Citizens Telecommunications Company of California, Inc.; and (ii) facilities-based interexchange services statewide.
- 1/9/04 **A04-01-009** - Pacific Gas and Electric Company (U 39-M), for Authority to increase revenue requirements to recover the costs to replace Steam Generators in Units 1 and 2 of the Diablo Canyon Power Plant.
- 1/12/04 **A04-01-010** - Computer Network Technology Corporation, for a certificate of public convenience and necessity to provide facilities-based and resold competitive local exchange, exchange access and intrastate interexchange services within the California exchange service territories of SBC-Pacific Bell and Verizon.
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PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

NONE

DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING OFFICER'S DECISION * ARBITRATOR'S REPORTS

- 1/12/04 **A03-06-040** In the Matter of the Application of SOUTHERN CALIFORNIA GAS COMPANY In Compliance with Resolution G-3334 For a System of Firm, Tradable Receipt Point Capacity Rights and Related Provisions. (U 904 G); **Proposed Decision of ALJ DeUlloa**
- 1/12/04 **R02-01-011** Order Instituting Rulemaking Regarding the Implementation of the Suspension of Direct Access Pursuant to Assembly Bill 1X and Decision 01-09-060, **Alternate Draft Decision of Commissioner Kennedy**
- 1/12/04 **R01-10-024** Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development; **Revised Alternate Proposed Decision of Commissioner Lynch.**

ADVICE LETTER FILINGS**NONE**

MISCELLANEOUS TRANSPORTATION ITEMS
Filings with Consumer Protection and Safety Division**NONE**

MISCELLANEOUS TELECOMMUNICATION MATTERS**NONE**

TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS**NONE**

ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED

ALJ Terkeurst	A.02-09-043 - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project, Evidentiary Hearing held and continued to January 13
ALJ Fukutome	A.03-05-035 - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006, Evidentiary Hearing held and continued to February 3

REMOVALS FROM CALENDAR

ALJ Fukutome	A.03-05-035 - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006, Evidentiary Hearing scheduled for January 13 – 16 has been removed from the Calendar
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NEW SETTINGS**NONE**

LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judges Sarah R. Thomas and John E. Thorson at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

1/19/04 NONE SCHEDULED
10:00 a.m.

1/26/04 NONE SCHEDULED
10:00 a.m.

2/2/04 NONE SCHEDULED
10:00 a.m.

FINAL ORAL ARGUMENTS (FOA)

NONE

HEARINGS

Dates in parentheses following the word "also" are subject to change without notice. The assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

(PHC) = Prehearing Conference
(EH) = Evidentiary Hearing
(PPH) = Public Participation Hearing
(IAM) = Initial Arbitration Meeting
(M) = Mediation

(ECP) = Expedited Complaint Procedure
(OSC) = Order to Show Cause
(WS) = Workshop
(FPH) = Full Panel Hearing
(AH) = Arbitration Hearing

(CA) = Closing Argument
(LM) = Law & Motion
(OA) = Oral Argument

1/13/04 **A.02-09-043 (EH)** - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project,
9:00 a.m. **Commission Courtroom, San Francisco**
ALJ Terkeurst
Comr Lynch **(also January 14 - 16 and January 20 - 23) (Note: January 20 at 10:00 a.m. and the remaining days at 9:00 a.m.)**

1/13/04 **R.93-04-003 (Verizon UNE Phase) (WS)** - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
9:00 a.m. **I.93-04-002** - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,
ALJ Duda **Commission Courtroom, San Francisco**
Comr Peevey **(also January 14 - 15)**

1/15/04 **C.03-07-031 (PHC)** - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,
2:00 p.m. **Commission Courtroom, San Francisco**
ALJ Thomas
Comr Brown

1/20/04
10:00 a.m.
ALJ Allen
Comr Brown
Comr Lynch
A.00-11-038 (EH) - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and
A.00-11-056 - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and
A.00-10-028 - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527,
Commission Courtroom, San Francisco
(Also January 21 – 23 at 9:00 a.m.)

1/20/04
10:00 a.m.
ALJ Koss
Comr Peevey
C.03-08-030 (TELEPHONIC -PHC) – County of Los Angeles, Complainant, vs. Union Pacific Railroad Company, Defendant,
Commission Room 5041A, San Francisco

1/20/04
10:00 a.m.
ALJ Pulsifer
Comr Kennedy
R.95-04-043 (PHC) - Order Instituting Rulemaking on the Commission’s Own Motion into Competition for Local Exchange Service, and
I.95-04-044 - Order Instituting Investigation on the Commission’s Own Motion into Competition for Local Exchange Service,
Commission Courtroom, San Francisco

1/20/04
1:00 p.m.
ALJ Koss
Comr Brown
C.03-07-040 (PHC) - City of Anaheim, Complainant, vs. Union Pacific Railroad Company, Defendant,
Commission Courtroom, San Francisco

1/21/04
10:00 a.m.
ALJ McKenzie
Comr Lynch
A.01-06-043 (PHC) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 M) for Approval of Leases to Allow CalPeak Power, LLC to Site Generator Plants on Utility Owned Land Adjacent to Substations, and
A.01-07-031 - Application of Pacific Gas and Electric Company on an Expedited Basis for Exemption under Section 853 for Easements on PG&E Land Allowing Delta Energy Center, LLC to Maintain an Electric Transition Structure for the Delta Project and CPN Pipeline to Maintain Gas Facilities for the Delta Project and the Los Medanos Energy Center Project, or in the Alternative for Approval of Easements under Section 851. (U 39 M),
Commission Courtroom, San Francisco

1/21/04
10:00 a.m.
ALJ Econome
Comr Brown
C.03-11-019 (TELEPHONIC PHC) - Francis J. Belanger, dba J&S Machine, Complainant, vs. Southern California Edison Company, Defendant,
Commission Courtroom, San Francisco

1/21/04
10:00 a.m.
ALJ Reed
C.03-11-024 (ECP) - XO California, Inc., Complainant, vs. Verizon California, Inc., Defendant,
Commission Courtroom, San Francisco

1/22/04
10:00 a.m.
ALJ Bushey
Comr Brown
I.03-08-017 (PHC) - Investigation on the Commission’s own motion into the fatal accident at the North Street Crossing (MP 220.50) in the City of Selma, Fresno County, on June 6, 2003, and order to show cause why this crossing should not be closed,
Commission Courtroom, San Francisco

1/23/04
10:00 a.m.
ALJ Galvin
Comr Peevey
A.03-12-010 (PHC) - Application of San Diego Gas & Electric Company (U 902 E) for a Finding of Prudence Regarding its Power Procurement Activities, and for Approval of Expenses Recorded to the Electric Resource Recovery Account,
Commission Courtroom, San Francisco

1/23/04 10:00 a.m. ALJ Gottstein Comr Kennedy	R.01-08-028 (PHC) - Order Instituting Rulemaking to Examine the Commission's Future Energy Efficiency Policies, Administration and Programs, Commission Courtroom, San Francisco
1/23/04 1:00 p.m. ALJ Galvin Comr Kennedy	A.03-12-008 (PHC) - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing treatment of net proceeds from real property sales as subject to Public Utilities Code § 790 and for establishment of memorandum accounts to record net sales proceeds, Commission Courtroom, San Francisco
1/26/04 10:00 a.m. ALJ Malcolm Comr Lynch	A.02-07-050 (EH) - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service, Commission Courtroom, San Francisco (January 27 – 30 and February 2 – 3)
1/26/04 10:00 a.m. ALJ Pulsifer Comr Kennedy	R.95-04-043 (EH) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service, Commission Courtroom, San Francisco (also January 27 – 30 and February 2 – 6 at 9:00 a.m.)
1/27/04 1:30 p.m. ALJ Bushey Comr Wood	A.03-04-025 (PHC) - In the Matter of the Application of San Gabriel Valley Water Company (U 377 W) for Authority to Implement a Low-Income Rate in Its Los Angeles Division in Compliance with Decision 02-10-058 in Application 01-10-028, Commission Courtroom, San Francisco
1/28/04 5:30 p.m. ALJ Malcolm Comr Kennedy	A.03-03-043 (PHC) - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV: Viejo System Project, Mission Viejo City Hall Council Chamber, 200 Civic Center, Mission Viejo, CA
1/29/04 10:00 a.m. ALJ Simon Comr Brown	A.03-07-039 (PHC) - In the matter of the Application of the PENINSULA CORRIDOR JOINT POWERS BOARD for authority to construct a new pedestrian overpass to replace an existing pedestrian crossings at grade, construct two private service crossings and to construct a new crossing at grade over a Union Pacific Railroad spur track at the Bayshore Station, City of Brisbane, County of San Mateo, Commission Courtroom, San Francisco
1/29/04 10:00 a.m. ALJ Vieth Comr Wood	C.03-09-027 (ECP) - Angelica Garcia a.k.a. Angelica Medrano, Complainant, vs. Southern California Edison Company, Defendant, Commission Courtroom, San Francisco
1/29/04 1:00 p.m. ALJ Patrick	C.03-12-022 (ECP) - Alvin O. Rogers, Complainant, vs. Verizon Wireless, Defendant, Department of General Services, Building & Property Management – Staff Room, 100 Paseo de San Antonio, Room 106, San Jose, CA
2/3/04 10:00 a.m. ALJ Long Comr Wood	A.02-12-027 (PHC) - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and A.02-12-028 - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and I.03-03-016 - Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company, Commission Courtroom, San Francisco

- 2/3/04**
10:00 a.m.
ALJ Fukutome
Comr Lynch
A.03-05-035 (EH) - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006,
Commission Courtroom, San Francisco
- 2/4/04**
10:00 a.m.
ALJ Thomas
Comr Wood
A.03-10-039 (AH) – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,
Commission Courtroom, San Francisco
(also February 5)
- 2/5/04**
10:00 a.m.
ALJ Allen
Comr Lynch
A.02-07-022 (PHC) - Application of San Diego Gas & Electric Company (U 902 E) for a Certificate of Public Convenience and Necessity for the Miguel – Mission 230kV #2 Project,
Commission Courtroom, San Francisco
- 2/5/04**
10:00 a.m.
ALJ Walwyn
Comr Peevey
R.01-10-024 (SDG & E RFP) (PHC) - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,
Commission Courtroom, San Francisco
- 2/6/04**
10:00 a.m.
ALJ Simon
Comr Brown
A.03-10-052 (PHC) - In the Matter of the Application of the City of San Clemente for an order authorizing the construction of five, permanent one-track at-grade crossings and three permanent one-track grade separated crossings and improvement of three existing crossings for the San Clemente Pedestrian Trail, known as the San Clemente Beach Safety Enhancement Project located on the Southern California Regional Rail Authority Orange Subdivision between railroad mile post 204.0 and 206.0 in the City of San Clemente, County of Orange, California,
Commission Courtroom, San Francisco
- 2/9/04**
9:30 a.m.
ALJ Simon
Comr Wood
A.02-01-031 (EH) - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara,
Commission Courtroom, San Francisco
(Also February 10 – 11)
- 2/9/04**
10:00 a.m.
ALJ Malcolm
Comr Lynch
A.03-07-036 (EH) - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006,
Commission Courtroom, San Francisco
(Also February 10 – 11 and February 23 – 24)
- 2/9/04**
10:00 a.m.
ALJ Pulsifer
Comr Kennedy
R.95-04-043 (EH) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,
Commission Courtroom, San Francisco
(also February 10 – 11, 13 and February 17 – 18))
- 2/9/04**
10:00 a.m.
ALJ Walwyn
Comr Peevey
R.01-10-024 (SDG & E RFP) (EH) - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,
Commission Courtroom, San Francisco
(also February 10 – 11, 13 and February 17 – 20)

- 2/10/04**
9:00 a.m. -
3:00 p.m.
ALJ Thorson
Comr Kennedy
A.03-10-017 (EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco
- 2/17/04**
10:00 a.m.
ALJ Thomas
Comr Brown
C.03-07-031 (EH) - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,
Commission Courtroom, San Francisco
(also February 18 – 20 and February 23 – 25)
- 2/18/04**
2:00 p.m.
ALJ Barnett
Comr Wood
C.01-01-032 (PHC) - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and
C.01-01-051 - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and
C.01-09-011 - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant,
Commission Courtroom, San Francisco
- 2/19/04**
10:00 a.m.
ALJ Reed
Comr Peevey
C.03-11-024 (EH) - XO California, Inc., Complainant, vs. Verizon California, Inc., Defendant,
Commission Courtroom, San Francisco
- 2/20/04**
12:00 noon
ALJ Barnett
C.03-12-012 (ECP) - Dean B. Lumibao, Complainant, vs. Verizon Wireless, Defendant,
City Utilities Yard – Administration Conference Room, 949 West 16th St., Newport Beach, CA
- 2/20/04**
1:00 p.m.
ALJ Barnett
C.03-12-026 (ECP) - Jewel L. Dohan, Complainant, vs. SBC Pacific Bell, and IDT America, Corp., Defendants,
City Utilities Yard – Administration Conference Room, 949 West 16th Street, Newport Beach, CA
- 2/23/04**
2:00 p.m. &
7:00 p.m.
ALJ Vieth
Comr Wood
A.03-10-006 (PPH) - In the matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 19.34% in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its Metropolitan Service Area,
Bell Gardens Veterans Park – Ross Hall, 6662 Loveland St., Bell Gardens, CA
Also:
2/24/04, 2:00 p.m. & 7:00 p.m., Carson Community Center – Room 107-A, B, & C, 3 Civic Plaza Drive, Carson, CA
- 2/24/04**
2:00 p.m.
ALJ Barnett
Comr Wood
A.02-05-004 (PHASE 2) (PHC) - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
I.02-06-002 - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,
Commission Courtroom, San Francisco

- 3/1/04**
10:00 a.m.
ALJ Barnett
Comr Wood
A.02-05-004 (PHASE 2) (EH) - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
I.02-06-002 - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,
Commission Courtroom, San Francisco
(also March 2 - 4; March 8 - 11; and March 15 - 18)
- 3/1/04**
9:00 a.m.
ALJ Vieth
Comr Wood
A.03-10-006 (EH) - In the matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 19.34% in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its Metropolitan Service Area,
Commission Courtroom, San Francisco
(also March 2 - 5)
- 3/3/04**
10:00 a.m.
ALJ Mattson
Comr Kennedy
A.03-09-008 (PHC) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (PHC) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco
- 3/18/04**
10:00 a.m.
ALJ Malcolm
Comr Peevey
R.03-10-003 (EH) - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation,
Commission Courtroom, San Francisco
(also March 19)
- 3/19/04**
10:00 a.m. -
12:00 p.m.
ALJ Thorson
Comr Kennedy
A.03-10-017 (PHC) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco
- 3/22/04**
3:00 p.m. -
5:00 p.m.
ALJ Thorson
Comr Kennedy
A.03-10-017 (WS) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Room 5012, San Francisco

- 3/23/04**
9:00 a.m. -
3:00 p.m.
ALJ Thorson
Comr Kennedy
- A.03-10-017 (EH)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco
(also March 24 – 26 and March 29 - 30)
- 3/26/04**
12:00 noon
ALJ Barnett
- C.03-12-025 (ECP)** - Sergio A. Rojo, Complainant, vs. AT & T Wireless, Defendant,
Commission Courtroom, State Office Building, 320 West 4th Street, Suite 500, Los Angeles, CA
- 3/26/04**
1:00 p.m.
ALJ Barnett
- C.03-12-027 (ECP)** - April Raynell, Complainant, vs. Pacific Bell Telephone Company dba SBC California, Defendant,
Commission Courtroom, State Office Building, 320 West 4th Street, Suite 500, Los Angeles, CA
- 3/29/04**
10:00 a.m.
ALJ TerKeurst
Comr Lynch
- I.02-11-040 (EH)** - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and
I.03-02-033 - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities,
Commission Courtroom, San Francisco
(also March 30, April 1 - 2; April 5 – 9; April 19 – 23; and April 26 - 30)
- 4/7/04**
11:00 a.m.
ALJ Malcolm
Comr Peevey
- R.03-08-018 (PHC)** - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges,
Commission Courtroom, San Francisco
- 4/12/04**
9:30 a.m.
ALJ Simon
Comr Kennedy
- A.03-01-013 (EH)** - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, and
A.03-07-049 - Application of the Pasadena Avenue Monterey Road Committee and City of South Pasadena for Variance of General Order 75-C, and
A.03-07-050 - In the Matter of the Application of the City of South Pasadena for Approval of Ordinance 2121 Relating to Limitations of Train Speeds Pursuant to Section 7658 of the California Public Utilities Code,
Commission Courtroom, San Francisco
(also April 13 - 16)

- 4/12/04**
10:00 a.m.
ALJ Fukutome
Comr Peevey
A.03-10-022 (Reasonableness Phase) (EH) - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,
Commission Courtroom, San Francisco
(also April 13 – 16)
- 4/13/04**
9:00 a.m.
ALJ Vieth
Comr Peevey
A.03-10-057 (EH) - In the Matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service in 2004 in its Region 1 Customer Service Areas by \$179,200 or 2.62% in the Arden-Cordova CSA; \$93,400 or 1.98% in the Bay Point CSA; and \$115,900 or 4.55% in the Ojai CSA; and various other relief,
Commission Courtroom, San Francisco
(also April 14 – 15)
- 4/16/04**
10:00 a.m. -
12:00 p.m.
ALJ Thorson
Comr Brown
I.03-10-038 (PHC) - Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855,
Commission Courtroom, San Francisco
- 4/19/04**
9:00 a.m.-
3:00 p.m.
ALJ Thorson
Comr Brown
I.03-10-038 (EH) - Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855,
Commission Courtroom, San Francisco
(also April 20 – 23)
- 4/20/04**
9:30 a.m.
ALJ Simon
Comr Brown
C.03-10-030 (EH) - U.S. TelePacific Corp. (U-5721-C), Complainant, vs. Verizon California, Inc. (U-1002-C), Defendant,
Commission Courtroom, San Francisco
- 4/26/04**
10:00 a.m.
ALJ Walker
Comr Brown
C.02-07-044 (EH) – The Utility Consumers’ Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants,
Commission Courtroom, San Francisco
(also April 27 - 30)
- 5/10/04**
10:00 a.m.
ALJ Long
Comr Wood
A.02-12-027 (EH) - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and
A.02-12-028 - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and
I.03-03-016 - Order Instituting Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company,
Commission Courtroom, San Francisco
(also May 11 – 14 and May 17 - 21)
- 6/7/04**
10:00 a.m.
ALJ TerKeurst
Comr Lynch
I.00-11-001 (EH) - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,
Commission Courtroom, San Francisco
(also June 8 – 11 and June 14 – 18)

6/14/04
9:30 a.m.
ALJ Duda
Comr Peevey

R.93-04-003 (Verizon UNE Phase) (EH) - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
I.93-04-002 - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,
Commission Courtroom, San Francisco
(also June 15 - 18)

7/7/04
10:00 a.m.
ALJ Mattson
Comr Kennedy

A.03-09-008 (PHC) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (PHC) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco

7/12/04
9:00 a.m.
ALJ Mattson
Comr Kennedy

A.03-09-008 (EH) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (EH) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco
(Also July 13 – 16; July 19 – 23; and July 26 – 30)

DECISION SUMMARIES

D03-12-035 12/18/2003	I.02-04-026	CPUC-PACIFIC GAS AND ELECTRIC COMPANY Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM. Modifies the proposed settlement agreement of PG&E, PG&E Corporation and the Commission staff; and approves the modified settlement agreement. (Comr. Brown will file a concurrence and Comrs. Lynch and Wood will file a dissent).
D03-12-036 12/18/2003	R.98-07-037	OIR-ENERGY EFFICIENCY Order Instituting Rulemaking on the Commission's proposed policies and programs governing energy efficiency, low-income assistance, renewable energy and research development and demonstration. Interim Opinion. Denies with prejudice, the inclusion of turbo-expanders in the AB 970 self-generation program. (Petition for Modification of D01-03-073 filed by Mafi-Trench Corporation U.S.A. on April 24, 2002.)
D03-12-037 12/18/2003	P.03-07-016	DUKE ENERGY NORTH AMERICA to Adopt, Amend or Repeal a Regulation pursuant to Public Utilities Code Section 1708.5 concerning the Netting of Station Load at Generating Facilities. Denies petition of Duke Energy North America (Petition 03-07-016) to amend regulation concerning the netting of

station load at generating facilities. This proceeding is closed.

D03-12-038 12/18/2003	A.02-08-006	UNION PACIFIC RAILROAD COMPANY for an Order Declaring and Adjudicating the Legal Status of the Cal Poly Crossing at Milepost 246.9 in the City and County of San Luis Obispo, State of California, the Necessity for Keeping the Crossing Open, and the Need for Safety Improvements and Apportionment of Costs. Approves an unopposed settlement reached by a majority of the parties in this proceeding for safety improvement of the at-grade crossing at milepost 246.9 in the City and County of San Luis Obispo. The Commission also approves the proposed apportionment and assignment of the improvement costs. This proceeding is closed.
D03-12-039 12/18/2003	A.02-11-048	GREAT OAKS WATER COMPANY for an order authorizing it to increase rates for water service for its total service area by \$2,811,000 or 35.5% in the year 2003; by \$978,000 or 9.0% in the year 2004; and by \$978,000 or 9.0% in the year 2005; and by \$978,000 or 9.0% for the year 2006. (N02-10-018.) Resolves general rate case. This proceeding is closed.
D03-12-040 12/18/2003	A.03-04-015	PARK WATER COMPANY (U 314-W) for an order authorizing it to increase rates charged for water service in its Central Basin Division in 2004 of \$1,775,880 or 9.83%; in 2005 of \$671,705 or 3.39%; and in 2006 of \$674,319 or 3.29%. (N03-04-004) Resolves general rate case. This proceeding is closed.
D03-12-041 12/18/2003	A.00-11-038 A.00-11-056 A.00-10-028 A.99-01-016 A.99-01-019 A.99-01-034	SOUTHERN CALIFORNIA EDISON COMPANY to propose a method to determine and implement the end of the rate freeze; and propose ratemaking mechanisms which should be in place after the end of the rate freeze period. Please note: Per ALJ Malcolm's and Minkin's ruling dated 3/1/99, this proceeding has been consolidated with A99-01-016, A99-01-019 and A99-02-029. Please Note: Per ALJ Minkin's ruling dated 10-24-00, A00-10-028 is consolidated with A99-01-016 et al. Dismisses consideration of TURN intervenor compensation claim.
D03-12-042 12/18/2003	A.02-01-038	ALAMEDA CORRIDOR - EAST CONSTRUCTION AUTHORITY (ACE) for an order authorizing elimination of an existing at-grade crossing through construction of a grade separated crossing (roadway underpass) at Nogales Street, under Union Pacific Railroad Company's adjacent Alhambra Subdivision main line, in the City of Industry, County of Los Angeles. Modifies D02-11-012. This proceeding is closed.
D03-12-043 12/18/2003	A.03-03-001	CITY OF OCEANSIDE for authority to construct a railroad undercrossing for pedestrian and bicycle purposes under the existing railroad bridge on the

		southerly side of the San Luis Rey River. Granted as set forth. This proceeding is closed.
D03-12-044 12/18/2003	A.03-03-023	STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION for authorization to construct the Sultana Drive Overhead, P.U.C. No.B-138.6-A/DOT No. 921 261T over tracks owned by the Union Pacific Railroad Company in the City of Livingston, County of Merced, State of California. Granted as set forth. This proceeding is closed.
D03-12-045 12/18/2003	A.03-07-011	STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION for an order authorizing the Department to widen the existing Cajon Overhead over tracks owned by Burlington Northern Santa Fe Railroad, C.P.U.C. No. 2-78.00-A, U.S.D.O.T. No. 027860A in the County of San Bernardino. Granted as set forth. This proceeding is closed.
D03-12-046 12/18/2003	A.03-07-012	STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION for an order authorizing the Department to construct a new freeway under the existing Muscoy Underpass, U.S.D.O.T. No. 747224N at Milepost 487.10 on the BB line of the Union Pacific Railroad Company in the County of San Bernardino. Granted as set forth. This proceeding is closed.
D03-12-047 12/18/2003	A.03-07-048	STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION for Authority to replace the existing 101/116 Separation and Overhead on U.S. Route 101 in the City of Petaluma in the County of Sonoma (Bridge No.20-0155L, P.U.C. No. 1085-37.50-A, D.O.T. No. 863534A). Granted as set forth. This proceeding is closed.
D03-12-048 12/18/2003	A.03-08-026	GRANITE TELECOMMUNICATIONS, LLC for a certificate of public convenience and necessity to offer local exchange and interexchange service. Granted as set forth. This proceeding is closed.
D03-12-049 12/18/2003	A.03-10-029	MALICEVIC, ZLATKO for authority to operate a passenger stage corporation between points in San Francisco, Alameda, Contra Costa, San Jose, Solano, Marin and San Mateo counties and the San Francisco, Oakland and San Jose International airports and to establish a zone of rate freedom. Granted as set forth. This proceeding is closed.
D03-12-050 12/18/2003	A.03-11-007	NUI TELECOM, INC. for authority to transfer control or ownership to Telecom Acquisition Company, LLC. Grants indirect transfer of control. This proceeding is closed.
D03-12-051 12/18/2003	A.01-09-062 A.01-09-063 A.01-09-064 A.01-09-066	CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the Hermosa-Redondo district by \$2,736,200 or 18.6% in the year 2002; by

	A.01-09-067 A.01-09-068 A.01-09-069 A.01-09-070 A.01-09-071 A.01-09-072 A.01-09-073 A.01-09-074 A.01-09-065	\$256,500 or 1.5% in the year 2003; by \$544,100 or 3.1% in the year 2004; and by \$554,100 or 3.0 % in the year 2005 (N.01-09-052). Awards \$44,454.44 as compensation to Aglet for its substantial contributions to D03-09-021.
D03-12-052 12/18/2003	A.03-07-051	PACIFIC TERMINALS LLC for authorization to guarantee its parents debt and related obligations, to encumber its public utility property and to treat the cancellation of its outstanding debt as additional members contribution, or alternatively, should such request be denied, to incur indebtedness payable more than twelve months after the date incurred. Granted as set forth. This proceeding is closed.
D03-12-053 12/18/2003	A.01-10-030	PACIFIC GAS AND ELECTRIC COMPANY Pacific Gas and Electric Company (U 39-E), San Diego Gas & Electric Company (U 902-E), Southern California Edison Company (U-338-E), the California Power Exchange Corporation, and the PX Restructuring Trust, for an Ex Parte Order Approving the Wind-down and Dissolution of the PX Restructuring Trust. Approves the wind-down and dissolution of the PX restructuring trust. This proceeding is closed.
D03-12-054 12/18/2003	A.03-08-015	SYMTELCO, LLC a Georgia Limited Liability Company, for a Certificate of Public Convenience and Necessity to provide Facilities-Based and Resale Competitive Local Exchange Telecommunications Services and intrastate Interexchange Telecommunications Services within the State of California. Grants the requested authority subject to the terms and conditions as set forth. This proceeding is closed.
D03-12-055 12/18/2003	A.03-09-036	AMCOM COMMUNICATIONS CORPORATION for a certificate of public convenience and necessity to provide limited facilities-based and resold competitive local exchange services, and for intraLATA and interLATA toll authority (non-dominant interexchange carrier) services. Grants the requested authority subject to the terms and conditions as set forth. This proceeding is closed.
D03-12-056 12/18/2003	A.02-12-033	PACIFIC GAS AND ELECTRIC COMPANY for an order authorizing the sale and conveyance of a certain parcel of land in Alameda County pursuant to the Public Utilities Code Section 851. Grants approval under Public Utilities Code Section 851 to convey transmission-related property. This proceeding is closed. (Comrs. Wood and Lynch will file a concurrence).

D03-12-057 12/18/2003	A.02-12-027 A.02-12-028 I.03-03-016	CPUC - SOCALGAS, SDG&E Order Instituting Investigation on the Commission's own motion into the rates, operations, practices, service and facilities of Southern California Gas Company and San Diego Gas & Electric Company. Grants interim rate relief for SoCalGas and SDG&E for test year 2004.
D03-12-058 12/18/2003	A.02-12-027 A.02-12-028 I.03-03-016	CPUC - SOCALGAS, SDG&E Order Instituting Investigation on the Commission's own motion into the rates, operations, practices, service and facilities of Southern California Gas Company and San Diego Gas & Electric Company. Grants Local 483 Utility Workers Union of America eligibility for intervenor compensation. (Comr. Brown dissents).
D03-12-059 12/18/2003	A.03-07-032	SOUTHERN CALIFORNIA EDISON COMPANY for Approval of a Power Purchase Agreement under PUHCA Section 32(k) between the Utility and a wholly owned Subsidiary and for Authority to Recover the Costs of such Power Purchase Agreement in Rates. Grants SCE's application to acquire Mountainview Power Company, LLC (MVL) either as a wholly owned subsidiary and to enter into a power purchase agreement with MVL for electricity from the Mountainview power project, or as a utility-owned generation facility. This proceeding is closed. (Comr. Brown will file a concurrence. Comr. Wood reserves the right to file a concurrence. Comr. Lynch dissents).
D03-12-060 12/18/2003	R.01-08-028	CPUC - ENERGY Order Instituting Rulemaking to Examine the Commission's Future Energy Efficiency Policies, Administration and Programs. Interim Opinion. Adopts funding for 2004-05 energy efficiency programs and studies. (Comrs. Peevey and Kennedy dissent).
D03-12-061 12/18/2003	A.01-10-011	PACIFIC GAS AND ELECTRIC COMPANY (U 39 G), Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016. Resolves the gas market structure, rates, and terms and conditions of service for PG&E for 2004. This proceeding is closed. (Comrs. Wood and Lynch reserve the right to file a dissent).
D03-12-062 12/18/2003	R.01-10-024	CPUC Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. Interim Opinion. Adopts the short-term procurement plans (STPP) under which California's three largest investor-owned utilities, PG&E, SDG&E and SCE will operate in 2004. (Comr. Lynch will file a concurrence).

D03-12-063 12/18/2003	A.03-06-002	SAN DIEGO GAS & ELECTRIC COMPANY (U 902-E), for Adoption of its 2003 and 2004 Energy Resource Recovery Account (ERRA) Forecast Revenue Requirements and related estimates, Approval of an Allocation Methodology for its 2003 Year-End ERRA Balance, and Approval of its 2003 ERRA Trigger Amount. Adopts the 2003 and 2004 ERRA forecasts of SDG&E regarding its load, the resources available to meet its load, fuel costs, and costs for the various resources. This proceeding is closed.
D03-12-064 12/18/2003	C.02-11-053	PASADENA NEIGHBORHOOD COALITION vs. Altrio Communications, Inc., for an order as follows: (1) that defendant immediately cease and desist from any further construction of its telephone systems in the City of Pasadena; and (2) that a Proponents Environmental Assessment (P.E.A.) study be prepared for the subject construction and for past constructions of defendant as well. Resolves complaint. This proceeding is closed. (Comr. Lynch reserves the right to file a concurrence).
D03-12-065 12/18/2003	R.01-10-024	CPUC Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development. Rehearing of D03-06-071, as modified, is denied.
D03-12-066 12/18/2003	A.02-07-025	BAKMAN WATER COMPANY for Authority (1) to remove the proceeds of Water Contamination lawsuits from Contributions-in-Aid-of-Construction; (2) to increase Rate Base; and (3) to Recover Increased Revenue Requirements in Rates. Modifies D03-10-002 and denies the rehearing application by the Bakman Water Company. This proceeding is closed.
D03-12-067 12/17/2003	C.03-10-055	JOHN T. RAMIREZ AND SUZANNE RAMIREZ vs. AT&T Wireless for an order that certain international telephone calls in the approximate sum of \$6,600.00 + is not owed by complainants to defendant. Dismissed. This proceeding is closed.
D04-01-001 01/05/2004	A.03-11-003	ESCHELON OPERATING COMPANY for authority to operate as a provider of facilities-based, UNE-P based and resold local exchange, and resold long distance telecommunications services. Dismissed. This proceeding is closed.
D04-01-002 01/05/2004	C.03-11-028	STEPHEN L. WINKE AND ANDREA J. SCHLANG (ECP) - vs. Myoma Dunes Mutual Water Company for an order that defendant refund to complainants the sum of \$580.00. Dismissed. This proceeding is closed.
D04-01-003 01/05/2004	R.99-10-025	PUC Order Instituting Rulemaking into distributed generation. Corrects errors in D03-12-014.
D04-01-004 01/06/2004	A.01-02-024 A.01-02-035	XO CALIFORNIA, INC. (U 5553 C), for the Commission to Re-Examine the Recurring Costs of DS1

A.02-02-031 and DS3 Unbundled Network Element Loops provided
 A.02-02-032 by Pacific Bell Telephone Company, as and for the
 A.02-02-034 Commission's Second Triennial Review of Recurring
 A.02-03-002 Unbundled Network Element Costs pursuant to
 Ordering Paragraph 11 of D99-11-050. **Corrects
 typographical errors in D03-07-023.**

COMMISSION MEETING OF DECEMBER 18, 2003

Commissioners Present:

Michael R. Peevey, President

Carl W. Wood

Loretta M. Lynch

Geoffrey F. Brown

Susan P. Kennedy

12/18/03	ALJ-176-3125	Ratification of preliminary determinations of category for proceedings initiated by application. The preliminary determinations are pursuant to Article 2.5, Rules 4 and 6.1 of the Commission's Rules of Practice and Procedure. Adopted as set forth in the attachments.
E-3847		Advice Letter 2405-E of Pacific Gas and Electric Company. Requests approval to revise Electric Rate Schedule E-NET - Net Energy Metering, to estimate the departed load of net-metered solar and wind customer-generators for the purpose of calculating the Public Goods Charge, in response to Assembly Bill 58. Denied as set forth.
E-3852		Advice Letter 2354-E of Pacific Gas and Electric Company (PG&E). Requests authority to reimburse the California Department of Water Resources for payments for PG&E's renewable transitional procurement contracts on a monthly basis for actual costs incurred. Denied as set forth.
G-3356		Advice Letter (AL) 3167 and AL 3277 of Southern California Gas Company (SoCalGas). Requests approval of its sharable earnings filings, which report SoCalGas' Performance-Based Ratemaking Mechanism results for 2001 and 2002. Approved as set forth.
E-3859		Advice Letter 2444-E of Pacific Gas and Electric Company. Requests approval of amendment No. 6 of the Qualified Decommissioning Trust Agreement and amendment No. 3 of the Nonqualified Decommissioning Trust Agreement pursuant to Section 2.12 of the Qualified Trust Agreement and Section 2.10 of the Nonqualified Trust Agreement. The amendments are for the Diablo Canyon generating station and Humboldt Bay nuclear unit No. 3, and reflect the changes required by the Nuclear Regulatory Commission. Granted as set forth.
E-3860		Advice Letter 1540-E/1414-G of San Diego Gas & Electric Company. Requests expedited approval to reallocate energy efficiency and self-generation program dollars to fund the Rebuild a Greener San Diego program. Approved with modifications.
G-3361		Pacific Gas and Electric Company (PG&E) Advice Letter (AL) -2488-G and AL 2488-G-A, San Diego Gas & Electric Company (SDG&E) AL 1343-G, Southern California Gas Company (SoCalGas) AL 3197, and Southwest Gas Corporation (Southwest) AL 695. Resolution adopting gas public purpose program surcharge rates as directed by Assembly Bill 1002 for the service territories of PG&E, SoCalGas, SDG&E, as well as for other gas public utilities under the Commission's jurisdiction for year 2004. Adopted as set forth.

- L-309 Resolution authorizing the disclosure of Commission records of the investigation of the death of Jose Antonio Corona on December 3, 2001, pursuant to Public Utilities Code 583. This item is added to the Agenda pursuant to Government Code Section 11125.3 (a)(2). **Granted as set forth.**
- M-4810 Resolution recommending that the Commission retain fees levels set for the 2002-03 fiscal year for water and sewer system corporations, and telecommunications corporations and recommending decreases for electric, gas and heat corporations to the levels last set for the 2001-02 fiscal year. **Granted as set forth in the appendices.**
- M-4811 Resolution setting the fee levels for passenger vehicle operators, vessel operators, commercial air operators and pipeline corporations are unchanged from the fee levels set for fiscal year 2002-03. The fee level set for the railroad corporations reflect a \$44,000 reduction from the level set for fiscal year 2002-03. **Adopted as set forth.**
- ST-67 San Francisco Municipal Railway. Requests authority to deviate from side clearance requirements of GO 143-B, Title 9.06, C.2. in the construction and operation of its Third Street Light Rail Line at two half grand unions at 25th and Third Streets and at Cesar Chavez and Third Streets. **Granted as set forth.**
- ST-68 North San Diego County Transit District. Requests authority to deviate from the provisions of General Order 143-B, Section Nos. 4.03 Brake Rates, 5.02 Stop Lights, 6.01 Anti Climber, and 6.02 Corner Post requirements. The deviation is contingent on Commission staff verifying the safety certification and braking performance of the proposed vehicle. **Granted as set forth.**
- T-16782 Resolution adopting recast California Teleconnect Fund Administrative Committee Fund fiscal year (FY) 2003-04 budget of \$34,645,000 and adopting a budget of \$38,682,000 for FY 2004-05. It continues the current surcharge rate of 0%. **Adopted as set forth in the appendix.** (Comr. Brown, being necessarily absent, did not participate.)
- T-16784 Resolution adopting a total Calendar Year 2004 California High Cost Fund-A support of \$30,395,320 for the following 17 small Local Exchange Carriers: Calaveras Telephone Company Advice Letter (AL) 268, California-Oregon Telephone Company AL 286, Citizens Telecommunications Company of the Golden State AL 151, Citizens Telecommunications Company of Tuolumne AL 140, Ducor Telephone Company AL 289, Evans Telephone Company AL 347, Foresthill Telephone Company AL 237, Happy Valley Telephone Company AL 265, Hornitos Telephone Company AL 234, Kerman Telephone Company AL 321, Pinnacles Telephone Company AL 199, The Ponderosa Telephone Company AL 327, Sierra Telephone Company AL 315, Siskiyou Telephone Company AL 317, Verizon West Coast Incorporated AL 597, Volcano Telephone Company AL 304, and Winterhaven Telephone Company AL 156. **Adopted as set forth in the appendices.**
- T-16793 Resolution adopting a recasted fiscal year (FY) 2003-04 budget of \$47.78 million and a FY 2004-05 budget of \$47.87 million for the California High Cost Fund-A Administrative Committee Fund. For the funding of these adopted budgets, a revised surcharge rate of 0.17% shall take effect on January 1, 2004. **Adopted as set forth in the appendices.**
- T-16794 Resolution adopting a recasted budget of \$520.472 million for Fiscal Year (FY) 2003-04, a budget of \$438.866 million for FY 2004-05 and a revised surcharge rate of 2.2% effective January 1, 2004 for the California High Cost Fund - B

Administrative Committee Fund until further revised by the Commission. The recasted FY 2003-4 budget includes up to \$39.0 million for payment of prior period claims. **Adopted as set forth in the appendix.**

- T-16795 Resolution adopting a recasted fiscal year (FY) 2003-04 budget of \$245.034 million and a FY 2004-05 budget of \$251.637 million for the Universal Lifeline Telephone Service Trust Administrative Committee Fund. For the funding of these adopted budgets, a revised surcharge rate of 1.10% shall take effect on January 1, 2004. **Adopted as set forth in the appendix.**
- T-16798 Advice Letter 24256 of SBC California (SBC). Resolution approving a Resale Agreement between SBC and GTC Telecom, in accordance with the provisions of General Order 96-A and Resolution ALJ-181. **Adopted as set forth.**
- T-16799 Advice Letter 24280 of SBC California (SBC). Resolution approving an Interconnection Agreement between SBC and Easton Telecom Services, LLC, in accordance with the provisions of General Order 96-A and Resolution ALJ-181. **Adopted as set forth.**
- T-16801 Resolution revoking the Certificate of Public Convenience and Necessity for ACC Telecommunications LLC in accordance with D03-04-021, Ordering Paragraph 3. **Adopted as set forth.**
- T-16802 Advice Letter 24254 of SBC California (SBC). Resolution authorizing SBC to decrease its annual revenues by \$3,928,000 effective January 1, 2004. **Adopted as set forth in the appendices.**
- T-16803 Advice Letter 815 of Citizens Telecommunications Company of California, Incorporated (Citizens). Resolution authorizing Citizens to increase its annual revenues by \$69,109 effective January 1, 2004. **Adopted as set forth in the appendices.**
- T-16804 Advice Letter 10621 of Verizon California, Incorporated. Requests authority to decrease its annual revenues by \$19,000,000 effective January 1, 2004. **Adopted as set forth in the appendices.**
- T-16805 Advice Letter 856 of Roseville Telephone Company (Roseville). Resolution authorizing Roseville \$0 increase to its annual revenues effective January 1, 2004. **Adopted as set forth in the appendices.**
- W-4444 Advice Letter 71 of Hillview Water Company. Resolution authorizing an offset rate increase of \$58,602 or 7.58% in additional revenue due to purchased power costs. **Adopted as set forth.**
- W-4445 Advice Letter 40 of Stirling Bluffs Corporation. Order authorizing a one-time surcharge to recover an increase in water testing costs producing an increase in annual revenue of \$937.50 or 2.63%. **Granted as set forth.**

SPECIAL RESOLUTION

- 12/23/03 T-16820 Requests authority to deviate from its filed tariff schedule California P.U.C. A5.10, Exchange Services, Exchange Area Maps, in order to continue to provide service to customers of record from SBC California's Clovis Exchange. **Granted as set forth.**

NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

NONE

NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))**All-Party Meeting – A.03-06-040**

January 14, 2004
2 pm - 3 pm

California Public Utilities Commission
505 Van Ness Avenue, Hearing Room C
San Francisco

There will be an All-Party meeting with Commissioner Susan P. Kennedy regarding A.03-06-040, the application to implement the SoCalGas comprehensive settlement agreement approved by the Commission in D.01-12-018. All parties are invited to meet with Commissioner Kennedy on this matter. No individual meetings will be granted. All participants must provide Commissioner Kennedy's office with the names of individuals who will be participating, their affiliation, and telephone/fax number to be reached in the event of changes to this meeting. Please contact Mary Lou Tousey at (415) 703-2593 or e-mail her at mlt@cpuc.ca.gov NO LATER than the end of business on Wednesday, January 13th so that there is adequate time to advise the Commissioner's office of the attendees.

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

NONE
